

**Introduced by Senator Margett**February 11, 2004

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An act to amend Section 66000 of the Government Code, relating to local planning.

## LEGISLATIVE COUNSEL'S DIGEST

SB 1218, as introduced, Margett. Development projects: fees.

The Mitigation Fee Act authorizes a local agency to establish, increase, or impose various fees as a condition of approval of a development project, if specified requirements are met. The act defines a development project as any project undertaken for the purpose of development.

This bill would revise the definition of development project to mean any project undertaken for the primary purpose of development.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 66000 of the Government Code is  
2 amended to read:  
3 66000. As used in this chapter:  
4 (a) "Development project" means any project undertaken for  
5 the *primary* purpose of development. "Development project"  
6 includes a project involving the issuance of a permit for  
7 construction or reconstruction, but not a permit to operate.  
8 (b) "Fee" means a monetary exaction other than a tax or  
9 special assessment, whether established for a broad class of  
10 projects by legislation of general applicability or imposed on a



1 specific project on an ad hoc basis, that is charged by a local agency  
2 to the applicant in connection with approval of a development  
3 project for the purpose of defraying all or a portion of the cost of  
4 public facilities related to the development project, but does not  
5 include fees specified in Section 66477, fees for processing  
6 applications for governmental regulatory actions or approvals,  
7 fees collected under development agreements adopted pursuant to  
8 Article 2.5 (commencing with Section 65864) of Chapter 4, or fees  
9 collected pursuant to agreements with redevelopment agencies  
10 which provide for the redevelopment of property in furtherance or  
11 for the benefit of a redevelopment project for which a  
12 redevelopment plan has been adopted pursuant to the Community  
13 Redevelopment Law (Part 1 (commencing with Section 33000) of  
14 Division 24 of the Health and Safety Code.

15 (c) “Local agency” means a county, city, whether general law  
16 or chartered, city and county, school district, special district,  
17 authority, agency, any other municipal public corporation or  
18 district, or other political subdivision of the state.

19 (d) “Public facilities” includes public improvements, public  
20 services and community amenities.

